

# ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

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## BOARD MEETING NOTICE

**AC Transit**  
Director  
Greg Harper

**Alameda County**  
Supervisors  
Nate Milley  
Scott Haggerty

**City of Alameda**  
Mayor  
Beverly Johnson  
Vice Chair

**City of Albany**  
Councilmember  
Farid Javandel

**BART**  
Director  
Thomas Blalock

**City of Berkeley**  
Councilmember  
Kris Worthington

**City of Dublin**  
Mayor  
Tim Sbranti

**City of Emeryville**  
Vice-Mayor  
Ruth Alkin

**City of Fremont**  
Councilmember  
Robert Wieckowski

**City of Hayward**  
Councilmember  
Olden Henson

**City of Livermore**  
Mayor  
Marshall Kamena

**City of Newark**  
Councilmember  
Luis Freitas

**City of Oakland**  
Councilmember  
Larry Reid

**City of Piedmont**  
Councilmember  
John Chiang

**City of Pleasanton**  
Mayor  
Jennifer Hosterman

**City of San Leandro**  
Councilmember  
Joyce R. Starosciak

**City of Union City**  
Mayor  
Mark Green  
Chair

**Executive Director**  
Dennis R. Fay

**Thursday, July 23, 2009, 3:30 p.m.**

ACTIA Board Room  
1333 Broadway, Suite 300  
Oakland, California 94612  
(see map on last page of agenda)

Chair: Mayor Mark Green  
Vice Chair: Mayor Beverly Johnson

Executive Director: Dennis R. Fay  
Secretary: Gladys V. Parmelee

## AGENDA

*Copies of Individual Agenda Items are Available on the CMA's Website  
<http://www.accma.ca.gov/pages/Posting.aspx?Posting=6>*

### 1.0 PLEDGE OF ALLEGIANCE

### 2.0 ROLL CALL

Confirm Quorum 3:30 p.m.

### 3.0 PUBLIC COMMENT

Members of the public may address the Board during "Public Comment" on any item not on the agenda. Public comment on an agenda item will be heard when that item is before the CMA Board. Anyone wishing to comment should make his or her desire known to the Chair

### 4.0 CHAIR'S/VICE-CHAIR'S REPORT

Information/Action 3:35 p.m.

#### 4.1 Resolution Recognizing Caltrans Director Will Kempton\*\*

### 5.0 EXECUTIVE DIRECTOR'S REPORT\* (page 1)

Information/Action 3:40 p.m.

### 6.0 CONSENT CALENDAR

Approval 3:45 p.m.

#### 6.1 Meeting Minutes, June 25, 2009\* (page 51)

#### 6.2.1 Financial Reports – No report this month

#### 6.2.2 Quarterly Investment Report\* (page 57)

#### 6.2.3 Quarterly SBE, LBE, and DBE Report\* (page 59)

*Consent Items recommended by the following committees:*

#### 6.3 Plans & Programs Committee

##### 6.3.1 TOD Quarterly Update\* (page 65)

It is recommended that the Board approve the attached Transit Oriented Development (TOD) Quarterly Fund Monitoring and Project Status Report. The report provides project and funding status of nine Transit Oriented Development projects identified in the Countywide Transportation Plan (CTP): MacArthur, W. Oakland, Oakland Coliseum, Ashby/Ed Roberts Campus, San Leandro, Union City, Warm Springs, South Hayward and Fruitvale Phase II.

### **6.3.2 Establishment of a Policy Advisory Committee for the I-580 EB and WB Express Lane Projects**

It is recommended that the Board:

1. Approve the establishment of a Policy Advisory Committee (PAC) for the Express Lane Projects that will be implemented on EB I-580 and WB I-580 in the Tri-Valley, and
2. Authorize the Chair of the CMA Board to designate representatives to serve on the PAC. Staff recommends the PAC be comprised of the Chair of the CMA Board and one representative from each of the following jurisdictions: The cities of Livermore, Dublin and Pleasanton and the County of Alameda.

The PAC will provide policy direction as well as recommending a business plan to the CMA Board for the operation of the Toll Facility, similar to the responsibilities of the I-680 JPA for the I-680 Express Lane project. Since the implementation issues will be similar on both the I-580 and the I-680 Corridors, staff recommends that the I-580 PAC and the I-680 JPA meet concurrently, with separate voting actions as appropriate.

### **6.4 Administration & Legislation Committee**

#### **6.4.1 Administrative IT Services: Authorization to Award Contract\* (page 75)**

In order to ensure that the CMA was procuring IT support services at a competitive price, on January 12, 2009 the CMA issued a formal Request for Proposals for Administrative IT Services (RFP A08-029). It is recommended that the Board authorize the Executive Director to approve a contract with Novani, LLC to provide Administrative IT Services to the CMA.

#### **6.4.2 Executive Director's Salary and Benefits for 2009-10\* (page 77)**

The employment agreement with the Executive Director states that the CMA will consider annual adjustments to salary and benefits. The attached memo provides the results of the performance evaluation, a salary recommendation and a self-evaluation by the Executive Director, as required by contract. It is recommended that the Board approve the salary recommendation.

#### **6.4.3 Executive Director's Performance Objectives for Fiscal Year 2009-10\* (page 81)**

The employment agreement with the Executive Director requires annual objectives for the upcoming year. The attached material provides performance objectives for fiscal year 2009-2010. It is recommended that the Board approve the Executive Director's performance objectives for fiscal year 2009-2010.

#### **6.4.4 ARRA Funding Resolution\* (page 83)**

It is recommended that the Board adopt Resolution 09-06, a Resolution of Local Support for \$7.5 million in funding from the federal American Recovery and Reinvestment Act (ARRA) for the I-580 EB High Occupancy Toll (HOT) Lane. The resolution is required by MTC for all recipients of ARRA funding.

#### **6.4.5 Resolution of Local Support for the East Bay BRT Corridor Enhancement Project\* (page 87)**

It is recommended that the Board adopt the attached Resolution 09-07 to MTC documenting local support for the CMA sponsored East Bay Bus Rapid Transit Capital Enhancement Project.

#### **6.4.6 AB 338 (Ma): Transit Villages/Tax Increment Financing\* (page 89)**

This bill would allow cities and counties to use tax increment financing for public facilities within a transit village. The bill would also expand the boundaries of a transit village to ½ mile. See attached MTC analysis of the bill. MTC is seeking an amendment to add language to the bill that would declare

legislative intent that at least 10 percent of the units in the townhomes within half a mile of a transit station be habitable by persons with disabilities and provide an accessible route from within the housing units to the entrance and to the station for persons with disabilities. It is recommended that the CMA support this bill and seek the amendment suggested by MTC.

**6.4.7 AB 1186 (Blumenfield)/SB 728 (Lowenthal): Parking Cash-out\* (page 101)**

These bills would strengthen the existing parking cash-out laws by requiring leases entered into after January 1, 2011 to list parking costs associated with the lease as a separate line item and to afford local jurisdictions the authority to establish a penalty to ensure compliance with the parking cash-out law. See attached MTC analysis of the bill. It is recommended that the CMA support these bills.

**6.4.8 AB 425 (Simitian): Small Business Trip Reduction Tax Deduction/Parking Cash-out Enforcement\* (page 109)**

This bill would authorize employers with 20 or fewer employees to claim a tax deduction for up to 80% of the cost associated with alternative commute modes. The bill also provides a tool to help enforce the parking cash-out law by prohibiting an employer from claiming a tax deduction for parking subsidies unless the employer complies with the law. See attached MTC analysis of the bill. The bill needs to be amended to make it clear that it applies to all transit not just those operators offering monthly passes. Strictly read the bill could prohibit an employer that offers BART tickets from claiming the tax deduction, since BART does not offer monthly passes. It is recommended that the CMA support and seek an amendment to correct this apparent oversight.

**6.4.9 AB 628 (Block): "Pay-by-Plate" Toll Collection\* (page 119)**

This bill would authorize California drivers to pay electronic tolls via license plate. While electronic toll collection is used throughout the State with FasTrak, California law does not permit collection of tolls using license plate reads. See attached MTC analysis of the bill. It is recommended that the CMA support this bill.

\*\*\* END OF CONSENT ITEMS \*\*\*

**7.0 PLANS & PROGRAMS COMMITTEE REPORTS 3:50 p.m.**

**7.1 2009 Congestion Management Program (CMP) Update: Discussion/Action  
Draft Report\* (page 129)**

It is recommended that the Board release the Draft 2009 CMP for comment with the exception of Table 16, 2010 STIP projects, in Chapter 7-Capital Improvement Program. The draft report was sent along with the Plans and Programs Committee agenda and is also posted on the website. Chapters 2 through 6 have already been approved by the Committees and the Board. Substantive changes made to the remaining chapters are highlighted in the report. The final 2009 CMP will be scheduled for approval, including a public hearing, in the fall at the conclusion of 2010 STIP process.

**7.2 2010 STIP – Summary of Pre-applications Received\* (page 131) Information/Discussion**

It is recommended that the Board review the summary of "Pre-applications" received for the 2010 STIP. Staff will also provide an update on the 2010 STIP Fund Estimate.

**7.3 East Bay SMART Corridors Program-Operations Discussion/Action  
and Management (O&M) Funding Plan and Activities\* (page 133)**

At its meeting on July 7<sup>th</sup>, ACTAC reviewed a projected two-year expenditure plan for the Operations and Management of the SMART Corridors program to sustain the system operation until June 30, 2011.

It is recommended that the Board take the following actions:

1. That the CMA Board approve the projected two year expenditure plan as shown in Table 1 with the understanding that CMA staff will continue to work with the partnering agencies to identify specific funding sources for all elements included in the Plan. The fund source specific plan is anticipated to be reviewed by ACTAC and presented to the Board in September.
2. That CMA staff establish a SMART Corridors Technical Advisory Committee (TAC). The TAC will have representation from all agencies participating in the SMART Corridors and will review and make recommendations to ACTAC on SMART Corridors related issues.

These recommendations were approved by the Plans and Programs Committee on July 13<sup>th</sup>.

**7.4 FY 2009/2010 Project Study Report (PSR)  
Priority List\* (page 137)**

**Information/Discussion**

The FY 2009/2010 State budget proposes to charge local agencies for Caltrans staff time spent overseeing development of PSR/PID documents. Staff will provide a status update on the FY 2009/2010 PSR priority list for Alameda County.

**8.0 ADMINISTRATION & LEGISLATION COMMITTEE REPORTS 4:10 p.m.**

**8.1 I-80 Integrated Corridor Mobility (ICM): Discussion/Action  
Approval to Advertise for a Construction Contract and  
Authority to Negotiate Construction Management Services\* (page 141)**

The CMA is the lead agency for the I-80 ICM project which is funded through various Federal, State & Local fund sources. To expedite delivery, the I-80 ICM project has been separated into six sub-projects. It is recommended that the CMA Board take the following actions:

1. Authorize the Executive Director, or his designee, to advertise and request bids for the construction of the I-80 ICM Traffic Operations Systems (TOS) Project #3. Award of this contract is scheduled for action by the Board in October. The Engineer's Estimate for the construction phase is \$2,144,000;
2. Authorize the Executive Director, or his designee, to negotiate and execute a contract to provide construction management services for the I-80 ICM Traffic Operations Systems (TOS) Project #3 and for the Traffic Light Synchronization Program (TLSP) Project #6 not to exceed \$2.4 million.

**8.2 AB 744 (Torrico): Toll Lanes\*\***

**Discussion/Action**

This bill, sponsored by MTC, authorizes BATA to finance, construct and operate an express lane network in the Bay Area. The bill establishes a framework for creating corridor working groups that will plan and develop HOT lanes within each corridor. The bill specifies that after debt payments have been made, excess toll revenue is allocated back to each corridor in proportion to the amount of revenue generated. The excess toll revenue will be used to fund the corridor investment plan. The CMA supports this bill in concept. Substantive amendments to this bill are being considered, which may alter the CMA's position. Staff will provide an update at the meeting and recommend any necessary changes to the CMA's position.

**9.0 ADJOURNMENT 4:20 p.m.**

\* Attachment enclosed for members and key staff.

\*\* Verbal presentation will be made or materials will be available at the meeting.

(#) All items on the agenda are subject to action and/or change by the CMA Board. Times for agenda items are approximate.

*PLEASE DO NOT WEAR SCENTED PRODUCTS SO INDIVIDUALS WITH  
ENVIRONMENTAL SENSITIVITIES MAY ATTEND*

***NEXT MEETINGS***

**THURSDAY, September 24, 2009; 3:30 PM; ACTIA Board Room, Oakland**

**THURSDAY, October 22, 2009; 3:30 PM; ACTIA Board Room, Oakland**

**THURSDAY, December 3, 2009; 3:30 PM; ACTIA Board Room, Oakland**

**THURSDAY, January 28, 2010; 3:30 PM; ACTIA Board Room, Oakland**

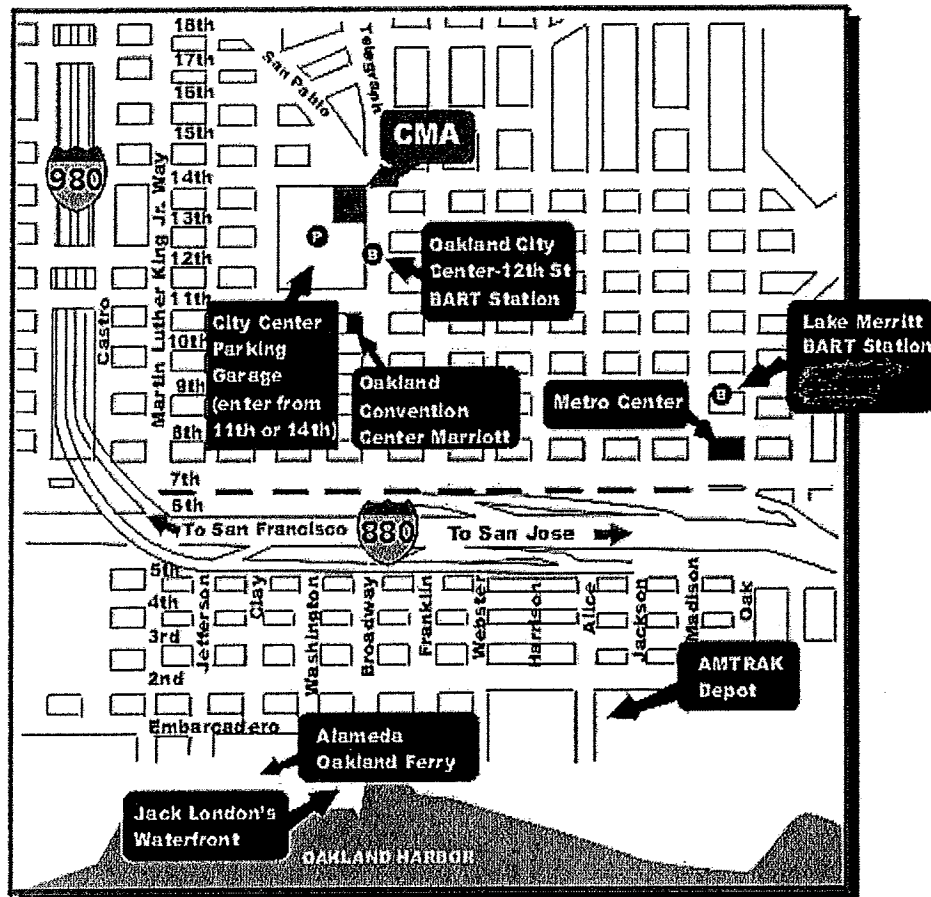
## Glossary of Acronyms

|                 |  |                   |  |
|-----------------|--|-------------------|--|
| <b>ABAG</b>     | Association of Bay Area Governments  | <b>MTC</b>        | Metropolitan Transportation Commission                           |
| <b>ACCMA</b>    | Alameda County Congestion Management Agency                                    | <b>MTS</b>        | Metropolitan Transportation System                               |
| <b>ACE</b>      | Altamont Commuter Express  | <b>NEPA</b>       | National Environmental Policy Act                                |
| <b>ACTA</b>     | Alameda County Transportation Authority (1986 Measure B authority)             | <b>NOP</b>        | Notice of Preparation  |
| <b>ACTAC</b>    | Alameda County Technical Advisory Committee                                    | <b>PCI</b>        | Pavement Condition Index   |
| <b>ACTIA</b>    | Alameda County Transportation Improvement Authority (2000 Measure B authority) | <b>PSR</b>        | Project Study Report   |
| <b>ADA</b>      | Americans with Disabilities Act  | <b>RM 2</b>       | Regional Measure 2 (Bridge toll)                                 |
| <b>BAAQMD</b>   | Bay Area Air Quality Management District                                       | <b>RTIP</b>       | Regional Transportation Improvement Program                      |
| <b>BART</b>     | Bay Area Rapid Transit District  | <b>RTP</b>        | Regional Transportation Plan (MTC's <i>Transportation 2035</i> ) |
| <b>BRT</b>      | Bus Rapid Transit  | <b>SAFETEA-LU</b> | Safe, Accountable, Flexible, Efficient Transportation Equity Act |
| <b>Caltrans</b> | California Department of Transportation  | <b>SR</b>         | State Route  |
| <b>CEQA</b>     | California Environmental Quality Act   | <b>STA</b>        | State Transit Assistance   |
| <b>CIP</b>      | Capital Investment Program   | <b>STIP</b>       | State Transportation Improvement Program                         |
| <b>CMAQ</b>     | Federal Congestion Mitigation and Air Quality                                  | <b>STP</b>        | Federal Surface Transportation Program                           |
| <b>CMP</b>      | Congestion Management Program  | <b>TCM</b>        | Transportation Control Measures                                  |
| <b>CTC</b>      | California Transportation Commission   | <b>TCRP</b>       | Transportation Congestion Relief Program                         |
| <b>EIR</b>      | Environmental Impact Report  | <b>TDA</b>        | Transportation Development Act                                   |
| <b>FHWA</b>     | Federal Highway Administration   | <b>TDM</b>        | Travel-Demand Management   |
| <b>FTA</b>      | Federal Transit Administration   | <b>TFCA</b>       | Transportation Fund for Clean Air                                |
| <b>HOT</b>      | High occupancy toll  | <b>TIP</b>        | Federal Transportation Improvement Program                       |
| <b>HOV</b>      | High occupancy vehicle   | <b>TLC</b>        | Transportation for Livable Communities                           |
| <b>ITIP</b>     | State Interregional Transportation Improvement Program                         | <b>TMP</b>        | Traffic Management Plan  |
| <b>LATIP</b>    | Local Area Transportation Improvement Program                                  | <b>TMS</b>        | Transportation Management System                                 |
| <b>LAVTA</b>    | Livermore-Amador Valley Transportation Authority                               | <b>TOD</b>        | Transit-Oriented Development                                     |
| <b>LOS</b>      | Level of service   | <b>TOS</b>        | Transportation Operations Systems                                |
|                 |  | <b>TVTC</b>       | Tri Valley Transportation Committee                              |
|                 |  | <b>VHD</b>        | Vehicle Hours of Delay   |
|                 |  | <b>VMT</b>        | Vehicle miles traveled   |



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## Public Transportation Access

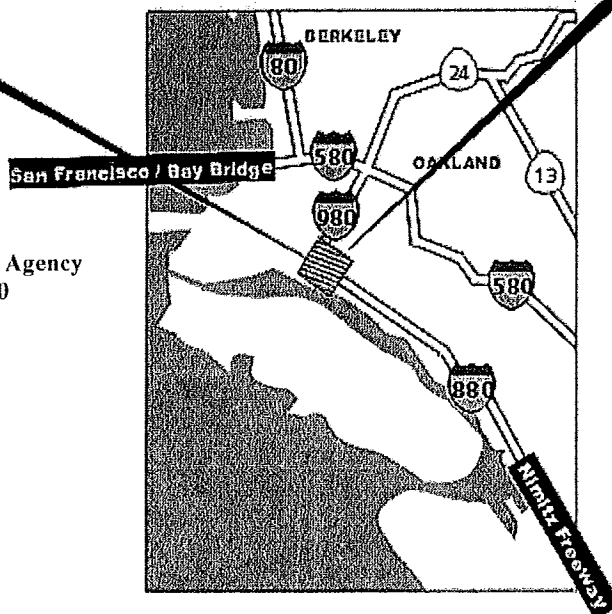
**BART:** City/Center 12<sup>th</sup>  
Street Station

**AC Transit:**  
Lines 1,1R, 11, 12, 13, 14,  
15, 18, 40, 51, 63, 72, 72M,  
72R, 314, 800, 801, 802,  
805, 840

## Auto Access

- Traveling South: Take 11<sup>th</sup>  
Street exit from I-980 to  
11<sup>th</sup> Street
- Traveling North: Take 11<sup>th</sup>  
Street/Convention Center  
Exit from I-980 to 11<sup>th</sup>  
Street
- Parking:  
City Center Garage –  
Underground Parking,  
enter from 11<sup>th</sup> or 14<sup>th</sup>  
Street

Alameda County  
Congestion Management Agency  
1333 Broadway, Suite 220  
Oakland, CA 94612



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